

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
SAN JOSE DIVISION

SABRENA ALIAS,

Plaintiff,

V.

EXPERIAN INFORMATION SOLUTIONS,
INC., et al.,

Defendant.

Case No. 5:15-cv-03057-EJD

**ORDER CORRECTING ORDER
DISCHARGING ORDER TO SHOW
CAUSE AND DISMISSING
DEFENDANTS**

On September 23, 2015, this court issued an order to show cause (“OSC”) pursuant to Federal Rule of Civil Procedure 4(m) requiring Plaintiff Sabrena Alias (“Plaintiff”) to prove that service of process had been completed on four defendants, namely TransUnion, LLC (“TransUnion”), GMAC Mortgage, LLC (“GMAC”), County Financial Services (“County Financial”), and Schools Financial Credit Union (“Schools Financial”). See Docket Item No. 27. Plaintiff filed a return to the order to show cause on September 30, 2015, wherein she provided certificates of service for GMAC and Schools Financial. As to TransUnion, Plaintiff stated she had attempted service but would re-attempt service at a new address. As to County Financial, Plaintiff represented that it has not been served and that Plaintiff would likely dismiss County Financial if further attempts at service were unsuccessful. See Docket Item No. 33.

After reviewing Plaintiff's response, the court issued an order discharging the OSC as to GMAC and County Financial and dismissing TransUnion and Schools Financial. See Docket Item No. 34. The court has discovered, however, that this order contains an error. Since Plaintiff successfully proved service on Schools Financial, it should not have been dismissed for lack of service. In contrast, County Financial, which had not been served, should have been dismissed.

1 Accordingly, the prior order dismissing Schools Financial is VACATED and it is
2 reinstated as a defendant. Since there is still not evidence that it has been served, County
3 Financial is DISMISSED WITHOUT PREJUDICE pursuant to Rule 4(m).

4 Plaintiff shall serve a copy of this order on Schools Financial. Since it is the only
5 defendant remaining, the Case Management Conference scheduled for November 19, 2015, is
6 CONTINUED to **10:00 a.m. on December 10, 2015**. The parties shall file a Joint Case
7 Management Conference Statement on or before **December 3, 2015**.

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9 **IT IS SO ORDERED.**

10 Dated: November 10, 2015

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12 EDWARD J. DAVILA
13 United States District Judge

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